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| 3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427 ST. PAUL, MN 55133-3427 | | | | |
| | | | EXAMINER ROSENBERGER, RICHARD A | |
| | | | ART UNIT 2877 | PAPER NUMBER |

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/629,172

Applicant(s)

MANN, GRAEME R.

Examiner

Richard A. Rosenberger

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2877

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonicalzi et al (US 4,179,686).

As in independent claims 26 and 38, the reference shows recovering a image from a document with a video image receiver (scanner 4) to provide a source image, comparing the source image with at least one predetermined and stored image that is stored in a computer (in processor 8; see column 2, lines 24-12, column 6, and lines 48-49); and providing an output signal (to display 9) comprising information about the source image. The reference does not appear to explicitly state that the original document is illuminated, but those in the art know that in order to objecting a video image the original must be illuminated in some manner, and that such ululation necessarily implies a light source of some kind.

As in claims 27, 34, 39 and 46, the image is a photograph of the person to be identified (column 6, lines 41-42).

As in claims 28 and 40, the usual illumination will be with normal, that is visible, light; thus it is at least obvious that the light source can provide visible light because this is the normal expected type of illumination for such image acquisition using cameras such as the television camera of the reference (column 2, lines 43-44).

As in claims 36 and 48, although the reference does not use the term “personal computer”, it does teach using a “microprocessor” (column 3, line 24), which at least suggests “a personal computer” for the processing and display.

As in claims 37 and 49, the reference teaches and claims using the technique disclosed therein on “identification papers” (column 6, lines 38-39, 52).

3. Claims 29-32 and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonicalzi et al (US 4,179,686) as applied to claims 26 and 38 above, and further in view of Berson (US 5,514,860).

It is known in the art to place on a document such as passports or identification cards information in “invisible ink” which becomes visible when exposed to “either ultra violet light or infra-red light” (Berson, column 1, line 49). It would have been obvious to include such information on the documents as in Bonicalzi et al because, as shown by Berson, it is known to do so and will increase the security of the document. Using the camera of Bonicalzi et al to view and authenticate the hidden as well as, or instead of, the visual data by making the hidden data visible with infrared or ultraviolet light would have been an obvious and straightforward extension or application of the general technique of Bonicalzi et al.

4. Claims 33 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonicalzi et al (US 4,179,686) as applied to claims 26 and 38 above, and further in view of Van Der Meer (US 3,709,119).

It is well known in the art that, particularly when obtaining images at close distances, that glare can be a problem, and it is a well-known technique in the art to reduce the glare by using polarized light to the imaging; see Van Der Meer, column 4, lines 44-51, which teaches this. It would have been obvious to use polarized light in this known manner for this known purpose in obtaining the images of the system of Bonicalzi et al.

5. Claims 35 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonicalzi et al (US 4,179,686) as applied to claims 26 and 38 above, and further in view of Bloomstein (US 3,718,908).

It is known in the art to use signatures as part of identification verification, see Bloomstein for an example. It would have been obvious to use an automatic comparison system, such as shown by Bonicalzi et al, to verify a signature instead of, or in addition to, other identifying data in that system.

6. The independent claims 26 and 38 call for the method being used with a document having an image covered by a security laminate. However, none of the claims have any claimed method step which particularly related the image acquisition to such an object. The claimed image acquisition steps are only illuminating and "recovering the image with a video image receiver", which are shown by at least the Bonicalzi et al reference and, for the image acquisition, the Bloomstein reference (as for Bonicalzi et al, the system will not work in complete darkness and thus some illumination is required). As the claimed methods are in no

Art Unit: 2877

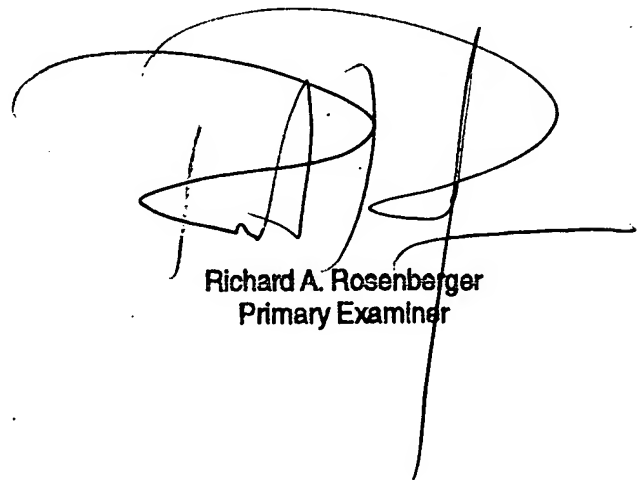
way limited to or by the particular image being recovered, the language relating to the image being covered by a security laminate is at most a non-limiting statement of intended use.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard A Rosenberger whose telephone number is (571) 272-2428. The examiner can normally be reached on Monday through Friday during the hours of 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

R. A. Rosenberger
5 April 2005



Richard A. Rosenberger
Primary Examiner